S.B. CIVIL WRIT PETITION NO. 5490/2003

Date : 03.07.2006

HON'BLE MR. BHAGWATI PRASAD, J.

Mr. Hemant Shrimali for the petitioner.
Mr. K.L. Thakur, AAG

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Heard.

This writ petition is directed against the order of the Board of Revenue which has concurred with the finding of the courts below . The Courts below have found that the petitioner is a trespasser and there is not proof that in Samvat 2012, the petitioner was in possession of the land. Only certain reports prepared in 1990's have been relied upon. That would not conclude that the petitioner was in possession of the land in Samvat 2012 to confer a right on him in accordance with law. That being the position, all the Courts have concurrently held against the petitioner, therefore, no case for interference is made out. The writ petition is hereby dismissed.

(BHAGWATI PRASAD), J.

bjsh